

4.2 21/01058/FUL

Date expired 1 June 2021

Proposal:

Demolition of existing dwelling and garage and replacement with 4 no. bedroom dwelling and garage.

Location:

Lyndhurst Cottage, Holly Bush Lane, Sevenoaks KENT
TN13 3UN

Ward(s):

Sevenoaks Eastern

Item for decision

The application has been referred to the Development Control Committee by Councillor Clayton for concerns relating to the impact on the Conservation Area, impact on the setting of locally listed buildings and impact on neighbouring amenity.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

In pursuance of section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: RF77/01, RF/06, RF/07, RF/08, RF77/09, RF/10 and Undated Material Schedule.

For the avoidance of doubt and in the interests of proper planning.

3) Prior to commencement of development above the damp proof course of either the new house or garage, full details of the facing materials, including samples and details of their treatment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details.

To ensure the development respects the character and appearance of the area and sits comfortably within the context of the nearby locally listed buildings and the Conservation Area, to comply with policies EN1 and EN4 of the ADMP.

4) Prior to the first occupation of the new dwelling, full details of the soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of species and shall include details of replacement planting to the north, south and western site boundaries. The soft landscaping scheme shall be implemented in the first available planting season following its approval. If within a period of 5 years from the approval of the landscaping scheme any of the trees or plants that form part of the approved details of soft landscaping die, are removed or become seriously damaged or

diseased then they shall be replaced in the next planting season with others of similar size and species.

To ensure the development respects the character and appearance of the area, to comply with policy EN1 of the ADMP.

5) Prior to the first occupation of the new house, details of boundary treatments to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary treatments shall be installed only in accordance with the approved details prior to the first occupation.

To protect the living conditions of neighbouring properties, to comply with police EN2 of the ADMP.

6) Prior to the occupation of the dwelling, an electrical vehicle charging point shall be installed to the property. This shall be so maintained at all times.

To ensure the development encourages sustainable means of transport and to comply with policy T3 of the ADMP.

7) The first floor windows in the south eastern side of the building and shown on plan RF77/06 as serving an en-suite and a wardrobe shall be obscure glazed and fixed shut, unless the opening parts of the window are more than 1.7m above the internal floor level. These windows shall be so maintained.

To preserve the privacy of the adjoining occupiers, to comply with policy EN2 of the ADMP.

8) Development shall not commence above the damp proof course of the new house or garage until the following details have been submitted to and approved in writing by the Local Planning Authority: a) details of the green roofs, including sections and details of layers and species to be used within them; b) details of window and door frames to a scale of 1:10 including details of architrave, frame, heads, glazing bars and mouldings, reveal, cill, lintels and methods of opening; c) details of all rainwater goods including any external soil or waste pipes. The development shall be carried out only in accordance with the approved details.

To ensure the development respects the character and appearance of the area and sits comfortably within the context of the nearby locally listed buildings and the Conservation Area, to comply with policies EN1 and EN4 of the ADMP.

9) No external plant or equipment (including air or ground heat pumps) shall be installed to the site unless details including plans and a noise report have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with any documents approved and shall be maintained in accordance with those details at all times.

To preserve the living conditions of neighbouring properties and to preserve the character and appearance of the area, to comply with policies EN1, EN2 and EN4 of the ADMP.

National Planning Policy Framework

In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

Description of site

- 1 The application site lies on the western side of Hollybush Lane within the confines of Sevenoaks.
- 2 The site contains a detached two-storey property constructed in brick with tile hanging at the first floor and a tiled half-hipped roof form. The existing building is set back within the plot, with a building line behind that of its neighbours. A detached double garage sits in front of the property and the front boundary comprises a high brick wall with wooden gates.

Description of proposal

- 3 Planning permission is sought for the demolition of the existing dwelling and the detached garage and redevelopment to provide a new two storey detached dwelling with new detached garage.
- 4 The proposed house and garage would occupy a similar position on the site to the existing house and garage, with the house being set at the back of the plot and the garage at the front. The proposed design of the new house is distinctly modern, comprising elevations of timber and copper cladding at the first floor which slightly overhang finishing bricks at the ground floor level. The roof form is flat, comprising a green roof and brick chimneys.
- 5 The replacement garage is also proposed in brick with a flat green roof.

Relevant planning history

- 6 00/01799/FUL and 00/01800/CAC- Planning permission and Conservation Area Consent refused for the demolition of the existing house and redevelopment to provide a new four-bedroom dwelling.
- 7 00/02798/FUL- Planning permission granted for "Demolition of existing dwelling and erection of four-bedroom dwelling with detached double garage". Conditions were subsequently discharged.

- 8 02/01470/FUL- Planning permission granted for the retention of a four-bedroom dwelling and double garage as an amendment to permission 00/02798.
- 9 03/00461/FUL- Planning permission granted at appeal for the retention of the existing dwelling. An amendment to the condition relating to opening windows was subsequently granted under reference 03/0130/CONVAR.
- 10 13/02967/HOUSE- Planning permission refused and dismissed at appeal for “Extension to existing garage to provide carport, removal of existing roof and raising of garage roof height to facilitate first floor studio accommodation over garage.”

Policies

- 11 National Planning Policy Framework (NPPF)
- 12 Core Strategy (CS)
 - SP1 Design and Conservation
 - L01 Distribution of Development
 - L02 Development in Sevenoaks Urban Area
- 13 Allocations and Development Management Plan (ADMP)
 - EN1 Design Principles
 - EN2 Amenity Protection
 - EN3 Demolition in Conservation Areas
 - EN4 Heritage Assets
 - T2 Vehicle Parking
 - T3 Provision of Electric Vehicle Charging Point
 - SC1 Presumption in Favour of Sustainable Development
- 14 Other:
 - Sevenoaks Vine Court Conservation Area Appraisal
 - Sevenoaks Residential Extensions SPD

Constraints

- 15 The following constraints apply:
 - Urban Confines of Sevenoaks
 - Sevenoaks Vine Court Conservation Area
 - Adjacent to Locally Listed Buildings- including The Coach House (to the south), 7A Hollybush Lane (to the north), 18 and 22 Vine Court Road (to the west)

Consultations

- 16 Sevenoaks Town Council - Objection:
- 17 “The design is out of character with the Vine Court Conservation Area Management Plan and which says that ‘All development in the Vine Court Conservation Area must respond to its immediate environment and context in terms of scale, density, form, materials and detailing.
- 18 The scale of the development is bigger and more intrusive than that which Sevenoaks District Council refused earlier because of its impact upon the neighbours. First floor windows will result in a loss of privacy to adjoining gardens, especially The Coach House.
- 19 The increase in bulk at first floor level will result in overshadowing to the garden of 7A.
- 20 The increase in bulk will impact the amenity of the garden of The Coach House.
- 21 It neither conserves nor enhances the Vine Court Conservation Area and would be detrimental to the setting of the adjoining locally listed buildings.”
- 22 SDC Conservation Officer
- 23 “Significance- The site sits within the Vine Court Conservation Area. The neighbouring houses on either side are locally-listed; the house to the south dates from 1898/1900 whereas the house to the north is contemporary.
- 24 The development of houses between Vine Court Road and Hollybush Lane is an interesting example of a historic 17th-century house being demolished in the last century to make way for a planned scheme of new roads and buildings. Vine Court, built in the mid-17th century, was demolished sometime during 1884, after the estate was sold, and the new building phase commenced. The houses are good quality individual Victorian houses serving the prosperous new commuting classes that moved to the area following the opening of Sevenoaks Station at Tubs Hill.
- 25 The large residential properties constructed throughout The Vine Court Conservation
- 26 Area are typical examples of their day. They are designed in a sub-Shaw, Queen Anne and Old English style using bold, confident detailing and traditional local materials.
- 27 The buildings are solid and imposing, constructed mainly of Kentish ragstone and red brick elevations sitting below clay tiled roofs. Carved timber on barge boards and tile hanging and timber studding to projecting bay windows add decorative interest.
- 28 Although the character of the conservation area has changed little since it was first built, there are some examples of modern infill development. Developments which are interesting examples of individual and original

design are far more successful within the conservation area than a more standardised approach.

- 29 It is relevant to consider The Vine Court Conservation Area street by street as each street has a crucial character and detailed part to play in the overall character of The
- 30 Conservation Area. On Hollybush Lane, up by Walthamstow Hall, with its impressive entrance gates, there are a mix of older houses and newer dwellings.
- 31 The building on the site itself dates from 2000/2003. It is well set back from the road, unlike neighbouring houses along the road. It is designed in a loose modern interpretation of the Arts and Crafts style with a half-hipped roof and is particularly unassuming. Overall, the building makes a neutral contribution to the character and appearance of the conservation area.
- 32 The Conservation Area Audit advises that any new development should encourage high quality and innovative design that reflects local identity and distinctiveness and promotes healthy, safe and secure living and working environments. The design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the whole area.
- 33 Impact assessment- The proposal is for the demolition of the existing building and its replacement with a four-bedroomed house. Pre-application was provided. There is no objection to the demolition of the existing building.
- 34 *Scale-* The proposed development will retain the existing layout of the site, although the footprint of the proposed house will extend further to the east. The proposed building will be two storeys high and its overall height will be lower than the ridge height of the existing dwelling. The scale of the proposed dwelling is considered to be in keeping with the character of the conservation area.
- 35 The proposed garage will retain the eastern building line (facing Hollybush Lane) of the existing garage but the footprint of the proposed garage will be extended on the west side. The proposed garage will have a flat roof which would stand at the height of the eaves level of the existing garage roof; the lower height helps to reduce its massing and visibility from Hollybush Lane.
- 36 *Form-* The proposed rectilinear form is modern and not clearly relatable to the historic housing stock within the conservation area, but to this end it also avoids being a pastiche of historic styles. The proposed chimney stacks do pick up on a characteristic element seen throughout the conservation area. The form with flat roof to add to the bulk of the house, but this is reduced by the lower roof height.
- 37 *Materials-* The house will have handmade red brick ground-floor walls and chimney stacks, with vertical Siberian larch timber cladding and copper cladding at first-floor level. The windows and external doors will be bronze coloured aluminium frames with double glazing. Slimline double glazing

should be used. The garage walls will be handmade red bricks with a copper clad soffit and anodised aluminium doors to match the window frames of the house. The roofs to both the house and garage will be green roofs- this will add to the verdant qualities of the site and conservation area. The existing front boundary brick wall and gates are to be retained.

- 38 The proposed use of materials would retain the site's subtle character, helping to make sure that the building does not compete with the locally listed buildings on either side. It is important that high-quality materials that relate well to the character and appearance of the conservation area are used in this development.
- 39 The existing dwelling lacks any particular design flair or interesting detailing. Therefore the detailing (in conjunction with the high-quality materials) for the proposed dwelling should provide façade articulation. This can be dealt with by condition.
- 40 *Landscaping-* All the trees along the boundary of the site will be retained, except for one pine tree. The proposed landscaping plan submitted is indicative only, therefore it may be necessary to condition the landscaping for this site to ensure it will add to the local character and distinctiveness of the conservation area.
- 41 The existing boundary wall to Hollybush Lane and gates will be retained; the existing wall is in keeping with the character and appearance of the conservation area so this is considered acceptable.
- 42 Conclusion- The proposals are considered to preserve the character and appearance of the conservation area (NPPF para 193); there is no objection.” (Conditions recommended)
- 43 SDC Tree Officer - “No objections to proposal.”

Representations

- 44 One representation has been received in support of the proposals.
- 45 16 objections have been received including two letters of objection from the Hollybush Residents Association and one from the Sevenoaks Society.
- 46 The issues within the objections can be summarised as follows
- Harm to the character and appearance of the Conservation Area;
 - Harm to the setting of nearby locally listed buildings;
 - The development is overbearing and constitutes overdevelopment;
 - The scale, design and construction materials are inappropriate;
 - Harm to neighbouring amenity- sunlight, daylight, overshadowing and loss of privacy;
 - Potential noise disturbance;
 - The existing house on the site is adequate and appropriate;
 - Loss of and harm to trees;
 - Recent refusal of similar in the area;
 - Sustainability of demolishing a recent build;

- Setting of a precedent.

Chief Planning Officer's Appraisal

47 The main planning considerations are:

- Principle of the Redevelopment;
- Impact on the Conservation Area and Heritage Assets;
- Impact on Amenity;
- Impact on Trees and Landscaping;
- Highways and Parking.

Principle of the Redevelopment

48 The proposed replacement dwelling would be constructed within the urban confines of an existing settlement on the site of an existing house. The access to the site and the layout of the site will remain the broadly the same. Access to essential services such as utilities and refuse collection are already established. The site is in a sustainable location and benefits from good public transport links and close proximity to Sevenoaks town centre. The site density replicates the existing development pattern.

49 In light of the above, I am satisfied that the principle of redevelopment in this location is acceptable. The proposals are compliant with the aims of policies L01 and L02 in this regard.

Impact on the Conservation Area and Heritage Assets

50 Policies L02 and SP1 of the Core Strategy and Policy EN1 of the ADMP state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.

51 Policy EN4 of the ADMP states that proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.

52 The NPPF, at paragraph 199, states that great weight should be given to the conservation of heritage assets.

53 In addition to these policies, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

54 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

- 55 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 56 The NPPF (July 2021), paragraph 134 states that development should reflect local design policies and government guidance on design (contained in the National Design Guide and National Model Design Code). It states that significant weight should be given to:
- a) Development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design codes, and/or;
 - b) Outstanding of innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 57 The Conservation Area Appraisal for this area is also a material consideration. This identifies at paragraph 5.3 that all development in this area must respond to its immediate environment and context, in terms of scale, density, form, materials and detailing.
- 58 With regard to the proposed demolition in the Conservation Area, the existing house and its garage have little architectural merit. This conclusion is shared with the Council's Conservation Officer. The existing house is not one identified by the Conservation Area Appraisal as making a positive contribution to the character of the area, and is not locally listed, unlike those which surround it. On this basis no objection is raised to the removal of the existing buildings on the site. The demolition would comply with policy EN3 of the ADMP.
- 59 The proposed replacement dwelling would occupy a similar position on the plot, being set back from the road with the garage proposed in front of it. Subject to the impact of this on the amenities of the neighbouring properties, discussed further below, no objection is raised to the retention of a staggered building line on this plot or the location of the garage to the front.
- 60 In terms of height, the proposed replacement building remains as two storeys. The existing building has a maximum height of approximately 7m (excluding chimneys) and varied eaves heights between 4.1m and 5m. By comparison the proposed house would have a continuous height of 6.3m (excluding chimneys). Therefore the maximum height of development on the site would be lower, but the roof height would be higher than the existing eaves level. Given the variation in roof heights in the surrounding area, it is considered that the building height would sit comfortably in this context and would not appear unduly prominent or intrusive.
- 61 The proposed architectural approach, form and materials are distinctly modern. While these elements do not replicate the nearby historic built

forms, neither do they attempt to compete with, or mimic the other surrounding built forms, or provide a pastiche. The built form and design, including its elongated windows and choice of materials, instead seek to provide an interesting juxtaposition with the surrounding historic development.

- 62 The Conservation Area Appraisal (at page 21) refers to some modern infill development within the Conservation Area. The Appraisal acknowledges that the two examples given provide an interesting contrast on how such development can be located. The examples given include the neighbouring house to the north, 7A Hollybush Lane, and it states that this demonstrates an example of 'individual and original design'. The success of this contemporary neighbouring property in the Conservation Area is acknowledged by its designation as a locally listed building.
- 63 The principle of contemporary design in this historic Conservation Area is therefore not opposed and it is acknowledged that the resulting development could not only preserve the character of the Conservation Area, but could enhance it.
- 64 The applicant has provided detailed information on the choice of materials that are proposed, in order to facilitate an understanding of how they would sit within this context.
- 65 The main facing materials would comprise 'weathered soft red' brick across the ground floor level, and the first floor would comprise predominantly Siberian Larch timber cladding with a section of Copper alloy cladding which would age to a colour of dark brown. In addition the windows frames are proposed to complement the red tones of the building through having bronze coloured aluminium frames and bronze finish balustrades are proposed to the first floor Juliette balconies.
- 66 Overall it is considered that the choice and colour of materials would complement the red brick tones of surrounding development, helping the development to show respect for its context.
- 67 Samples of the final facing materials could be secured by condition, with details of their treatment to allow an understanding of how they would age overtime. The Conservation Officer has also recommended that additional details of window openings, rainwater goods and the roof also be secured by condition.
- 68 In terms of how the development would sit within the Conservation Area, it is necessary to understand the degree of visibility and how the development would impact on positive attributes of the Conservation Area.
- 69 The site lies at the eastern edge of the Vine Court Conservation Area and the Conservation Area boundary ends on the opposite side of Hollybush Lane. The proposed new house would be set back approximately 22m from the edge of the street at its nearest point, and separated by the proposed garage and areas of hard and soft landscaping. On this part of Hollybush Lane the public footpath runs along the western side of the street in front of the high front boundary wall. On the opposite side of the street are high

hedges and dense foliage. These attributes, combined with the set back of the proposed house on the plot, and the presence of neighbouring development which sits further forward, would result in the new house experiencing limited visibility from public view points.

- 70 Glimpses of the main house, in particular its first floor and chimney treatment, could be apparent from the street to a degree above the high front boundary wall and soft landscaping on the front boundary, and in winter months may be visible in glimpses from the public footpath behind the hedgerow to the east. However these would only be glimpses and it is not considered that the development would appear unduly prominent or intrusive in these views.
- 71 Furthermore, the Conservation Area Appraisal identifies important local views, and the proposed new dwelling would not impose or harmfully impact upon any of those views identified due to its set back from the edge of the street. Overall it is considered that the proposal would conserve views across the Conservation Area.
- 72 The new house would have more prominent views in the private view points from the surrounding properties and their gardens. However by reason of its scale and palette of materials, and in light of existing development on this site, it is not considered that the impact on the views from those properties, in terms of their appreciation of the character of the area, would be harmful.
- 73 The proposed replacement garage is also modern in its design in order to respect the main house. While this is larger than the existing, its position on the site remains the same and the distance from the street is unaltered. Similarly this would comprise brick work to match the ground floor level of the house, with a green roof.
- 74 The roof form of the garage would be a flat green roof, where a pitched roof currently exists. The maximum height of the garage would be reduced from approximately 4.5m to 3m. This would still project higher than the front boundary wall and so would receive some visibility from the surrounding area. However, in light of its brick finish and the presence of an existing garage in this location, this is considered to preserve the character and appearance of the Conservation Area.
- 75 The proposals would entail an alteration within the setting of those nearby local listed buildings, and the positive contribution of those buildings to the Conservation Area is noted. However, this does not prohibit changes within the vicinity of those buildings. Those buildings would remain within their existing plots with a degree of separation from the proposed replacement house that would allow their significance, and contribution to the character of the area to be preserved.
- 76 The proposed development is not in conflict with, but accords with the government's design guidance in the National Design Guide, which gives multiple examples of how development can be successfully achieved in a historic context.

- 77 The concerns of the local amenity societies are noted, in particular the comments regarding the historic pattern of development in the Conservation Area, whereby historically the properties on Vine Court Road were the larger, more prominent properties, and those on Hollybush Lane were more subordinate in their scale and appearance. However, for the reasons discussed above, the proposed development is considered to be compatible with the scale of development on Hollybush Lane and has the ability to provide a positive contribution to the character and appearance of the area.
- 78 Overall it can be concluded that the proposals would preserve the character and appearance of the Conservation Area and the setting of the locally listed buildings compliant with the aims of the relevant planning policies and the aims of the NPPF. The tests of the Planning (Listed Buildings and Conservation Areas) Act 1990 have also been met. These conclusions are shared by the Council's Senior Conservation Officer as discussed above.

Impact on the neighbouring Amenity

- 79 Policy EN2 of the ADMP requires proposals to safeguard the residential amenities of existing and future occupants of properties.
- 80 Those properties most likely to be affected by the development are discussed in turn as follows:
- 81 7A Holly Bush Lane- the neighbouring property to the north
- 82 This neighbouring property has a number of ground and first floor windows which look towards the application site, including habitable rooms.
- 83 The plans show that the new house would project approximately 3m forward of the existing rear building line, and it would therefore project closer to the south facing elevation of this neighbouring property. However, at no point would the new house sit directly in front of any of the habitable room windows of No7A and there would remain a gap of approximately 10m between the houses at their closest point. In line with BRE guidance for daylight, the neighbouring windows would retain a 25 degree line from the centre of the window towards the sky. The applicant has also included some daylight and overshadowing diagrams within their Planning Statement which show that there might be some impact on the daylight received by No.7A as a result of the new front building line in mid-late afternoon, with a minimal difference in earlier hours of the day. It is also relevant that the boundary between the site and No.7A is heavily vegetated with dense planting between the two properties. While this would vary to some degree throughout the year, it already impacts on the levels of sunlight and daylight received to the front elevation of No.7A.
- 84 Overall, while there is likely to be some impact arising from the new front building line of the new house, this is not likely to be significant and the neighbouring property would retain good sunlight and daylighting conditions, compliant with policy EN2.
- 85 In terms of privacy, two small first floor windows are proposed in the north elevation of the new house, however one serves a bathroom and is

annotated to be obscure glazed. The other is a secondary bedroom window which is angled to have a view to the front of the site. These would preserve the privacy of the neighbour. The windows in the front elevation of the new dwelling would be closer to No7A, however there is already a degree of overlooking arising from the existing situation as the existing house has windows in its front elevation. It is not considered that this would be significantly worsened by the proposed development. Details of retained or new planting on the northern site boundary can also be secured by condition.

- 86 The proposed garage is set such a distance from No7A that it is unlikely to have any impact on its living conditions.
- 87 The Coach House (7 Holly Bush Lane) - the neighbouring property to the south
- 88 This is a two-storey house with a building line close to the edge of the street. Its side elevation sits broadly in line with the existing garage on the application site.
- 89 The scale and positioning of the proposed new house would not have a harmful impact on the living conditions of The Coach House due to the distance between them, and the presence of the existing development on the site, which is a similar distance from the boundary. As the application site is located to the north of the Coach House, there would not be a harmful loss of sunlight. While the new development would be visible from The Coach House, and there would be some impact in terms of outlook, this is not considered to be harmful to its overall living conditions.
- 90 The proposed new house would include a number of windows and openings in its south facing elevation. At the ground floor level, the visibility to the neighbouring property could be adequately mitigated by a boundary treatment that could be secured by condition.
- 91 At first floor level an en-suite and 'wardrobe' windows are proposed towards the front of the house, which could be conditioned to be obscure glazed. A secondary side window/Juliette balcony is proposed to bedroom 1 which faces south. However, this would be approximately 13m from the neighbouring property and its views obscured by planting on the boundary. As this is a secondary window it is not considered to cause significant harm to privacy.
- 92 Other south facing windows in the first floor serve 'bedroom 3' at the back of the house which is served by 4 windows including 2 in the rear elevation. However due to these windows being positioned towards the back of the property, views from these windows towards the rear elevation of The Coach House would not be possible, as the views would be obscured by the T shape of the proposed building. They would provide some views over the rear garden of The Coach House, which would cause some loss of privacy to the rear of the garden area. However, the Sevenoaks Residential Development SPD refers only to the protection of privacy to properties and to the part of the private garden closest to the house, being defined by the SPD as being the first 5m from the back of the house (paragraph 5.2). I am

of the view that the loss of privacy to the back of the garden of The Coach House would not cause significant harm to the overall living conditions of that property.

- 93 The proposed garage would be in the same position as the existing, but increases in its depth along the shared boundary. The overall height of the garage reduces from the existing by approximately 1.5m, however the eaves level is lost and the proposed garage instead has a consistent roof height of 3m.
- 94 There is a side window in The Coach House which is a high level north facing window serving a kitchen/ dining area. This high level window is understood to provide some outlook over the application site and towards the back of the existing garage. Having visited the application site, the area in front of this window was heavily obscured by planting on the boundary. The proposed new garage would result in this window being further obscured. While this is acknowledged, as this is a north facing and high level window and is understood to be a secondary source of light and outlook to that room, and as it is currently heavily obscured by planting and the existing boundary, it is not considered that the proposals would cause harm to the overall living conditions of that property through this impact.
- 95 20 Vine Court Road- the neighbouring property to the rear/ west
- 96 The proposals would incorporate windows in the rear elevation of the new house at first floor level, which would face directly to 20 Vine Court Road. There would be approximately 27m between the habitable room windows of 20 Vine Court Road and the new building. However, there are existing windows in this location and the distance of separation between habitable room windows would be sufficient to retain adequate privacy. It is not considered that the circumstances would be made significantly worse by the development proposals.
- 97 Other nearby properties
- 98 Other properties on Holly Bush Lane, including 5A, are further from the application site. While the development may provide some views over these gardens, this is not considered to cause significant harm to the living conditions of those properties, particularly as a degree of mutual overlooking already exists between these properties and their gardens.
- 99 Noise disturbance
- 100 The application documents refer to the potential installation of a ground or air source heat pump, to assist the development in achieving Level 6 of Code for Sustainable Homes. Despite this, no such plant is included in the drawings and no public consultation has taken place on the details of this equipment. It is recommended that a condition is used to ensure that details of any external plant or equipment is submitted for approval before it is installed to ensure the Local Planning Authority can fully assess its visual impact and the potential for noise disturbance.

- 101 Noise disturbance experienced during the construction period would be for a limited period and legislation exists outside the planning system to enforce against this, such as Environmental Health legislation.

Trees and Landscaping

- 102 The proposals include the removal of a small pine tree on the site between the house and the garage. This loss is considered acceptable as the tree makes a limited contribution to the visual amenity of the area.
- 103 There is a substantial pine tree within the front garden of The Coach House close to the southern site boundary. The new garage could impact upon this tree through being within its root protection area, however the location of the garage where it is closest to the tree is the same as the existing, therefore the line of foundations and walls close to the tree would be the same as the existing. The proposals have been subject to consideration by the Council's Tree Officer who raises no objections to the development. It is considered that the impact on trees is acceptable and no further conditions are required in this regard.
- 104 The proposed site plan demonstrates replacement planting around the site. A condition is recommended to secure final details of the landscaping scheme, including species, to ensure that the landscaping on the site continues to contribute positively to the character of the area, as it does at present.

Parking and Highways Impact

- 105 The proposals include adequate space on the site to accommodate parking associated with the new house, with space for vehicles to turn and exit the site in a forward gear, to the benefit of highway and pedestrian safety. The point of access and front boundary wall are not proposed to be altered by this application.
- 106 An electric vehicle charging point can be secured by condition.

Other issues

- 107 The applicant states that the proposals would allow for future proofing and would provide a home which could achieve Level 6 of Code for Sustainable Homes. The applicant does not substantiate how this would be achieved, and as discussed above, the application at this time does not include details of any renewable energy equipment. It is therefore recommended that moderate weight be attached to this as a benefit of the proposals. However there is not policy requirement at this time for the development to achieve a set level of sustainability and the acceptability of the proposals do not rely on this.
- 108 Concern has been raised through public consultation for the ability of the proposals to set a precedent and that other recent examples have been refused planning permission. Each application site is subject to its own considerations and sits within its own context. It is therefore difficult to draw comparisons between two sites.

Community Infrastructure Levy (CIL)

109 The proposal is CIL liable.

Conclusion

110 The application proposal for a replacement dwelling meets the requirements of the relevant local plan policies. As a consequence, the proposal is in accordance with the Development Plan for the District.

111 It is therefore recommended that this application is APPROVED subject to conditions.

Background papers

Site and block plan

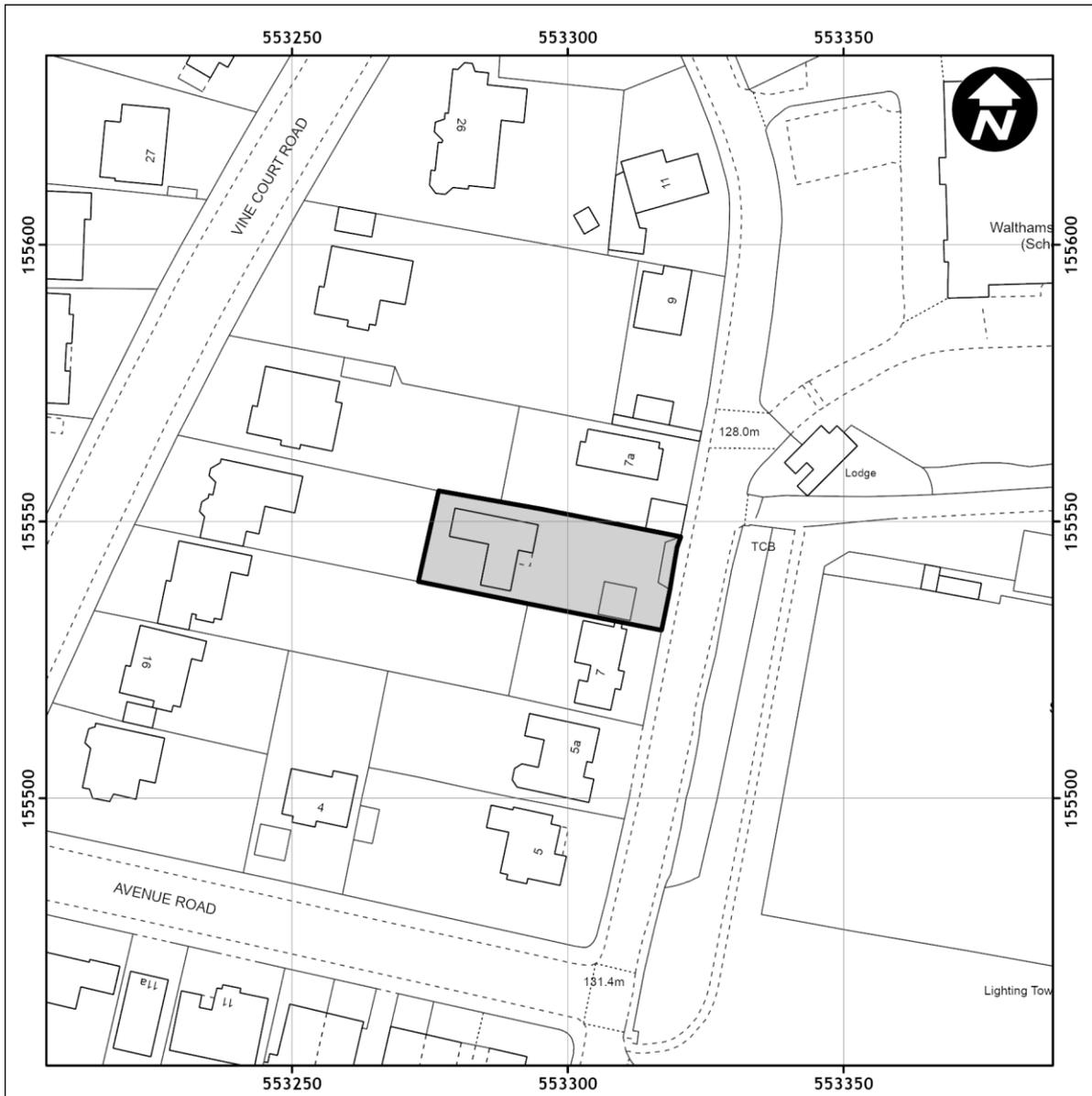
Contact Officer(s):

Claire Shearing: 01732 227000

Richard Morris
Chief Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:1,250

Date 20/08/2021



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Ordnance Survey 100019428.

BLOCK PLAN

